

IN THE CIRCUIT COURT OF THE NINETEENTH JUDICIAL CIRCUIT
LAKE COUNTY, ILLINOIS

☐ THE PEOPLE OF THE STATE OF ILLINOIS

or

☐ A MUNICIPAL CORPORATION

vs.

CASE NO. _____

Defendant/Petitioner

PETITION TO EXPUNGE AND SEAL

COMES NOW the Defendant/Petitioner, pursuant to 20ILCS 2630/5 (a), and petitions the Court to expunge and seal the Defendant's arrest records from the records of the Arresting Authority, the Circuit Clerk and the Department of State Police with regard to the following arrest:

Charge: _____	Date of Arrest: _____
Arresting Authority: _____	
ID No: _____	
Date of Birth: _____	Sex: _____ Race: _____
Return Records To:	
_____ (Name of Defendant/Petitioner)	
_____ (Street)	
_____ (City)	_____ (State) (Zip Code)

In support of this Petition, Defendant/Petitioner states as follows:

1. The Defendant/Petitioner was arrested by the Arresting Authority on the date and for the offense stated above.
2. ☐ The Defendant/Petitioner was acquitted or released without being convicted; OR
☐ The Defendant/Petitioner was released without conviction following a sentence of supervision, for the offense of:
 - ☐ 625 ILCS 5/3-707 Operating an Uninsured Motor Vehicle, or
 - ☐ 625 ILCS 5/3-708 Suspended Registration for Noninsurance, or
 - ☐ 625 ILCS 5/3-710 Displaying of False Insurance, or
 - ☐ 625 ILCS 5/401.3 Failure of Scrap Dealer to Keep Records, or
 - ☐ 625 ILCS 5/11-503 Reckless Driving, or
 - ☐ 720 ILCS 5/12-3.2 Domestic Battery, or

- ☐ 720 ILCS 5/12-15 Criminal Sexual Abuse, or
- ☐ 720 ILCS 5/16A-3 Retail Theft;

and it has been FIVE years since the successful discharge and dismissal from supervision; **OR**

☐ The Defendant/Petitioner was released without conviction following a sentence of probation under:

- ☐ 720 ILCS 550/10 Section 10 of the Cannabis Control Act, or
- ☐ 720 ILCS 570/410 Section 410 of the Illinois Controlled Substance Act, or
- ☐ 720 ILCS 5/12-4.3 (if charged before January 1, 1996) Section 12-4.3(b)(1) and (2) of the Criminal Code of 1961 (Aggravated Battery of a Child, as those provision existed before their deletion by Public Act 89-313), or
- ☐ 20 ILCS 301/40-10 Section 40-10 of the Illinois Alcoholism and Other Drug Dependency Act when the judgment of conviction has been vacated, or
- ☐ 720 ILCS 646/70 Section 70 of the Methamphetamine Control and Community Protection Act

And it has been FIVE years since the successful termination of probation, **OR**

☐ The Defendant/Petitioner was released without conviction following a sentence of supervision for an offense which is not set forth in the previous paragraphs, and it has been TWO years since the successful discharge and dismissal from supervision.

3. The Defendant/Petitioner has not previously nor subsequently been convicted of any criminal offense or any municipal ordinance violation and there are no criminal charges pending against Defendant/Petitioner at the present time.
4. The Defendant/Petitioner was not granted supervision for or convicted of (1) driving under the influence; or (2) any sexual offense committed against a minor under 18 years of age as a result of this arrest. Sexual offense committed against a minor includes but is not limited to the offense of indecent solicitation of a child or criminal sexual abuse when the victim of such offense is under 18 years of age.
5. The Defendant/Petitioner has paid all fines, costs, fees and restitution in the underlying case.
6. The Defendant/Petitioner has paid all costs and fees for the filing of this Petition, or has been granted a fee Waiver by the Court.

WHEREFORE, the Defendant/Petitioner prays that the Defendant's record of arrest be expunged and/or sealed as allowed by law.

Dated: _____,

Defendant/Petitioner

VERIFICATION BY CERTIFICATION

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief, as to such matters the undersigned certifies as aforesaid he/she verily believes the same to be true.

Date

Defendant/Petitioner

Subscribed and sworn to before me this _____ day of _____, 20____.

Notary/Clerk

Received this _____ day of _____, 20____.

State's Attorney or Prosecutor

Prepared by:

Name _____

Atty No. _____

Address _____

Attorney for _____

City/State/Zip _____

Telephone _____